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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KENT WARD,)	Case No. CV 09-04565 RS
)	
Plaintiff,)	STIPULATION AND [PROPOSED
)	ORDER] FOR THIRD EXTENSION OF
v.)	DISCOVERY AND MEDIATION
)	DEADLINES AND TO RESCHEDULE
EQUILON ENTERPRISES, LLC, SHELL OIL)	FURTHER CASE MANAGEMENT
PRODUCTS COMPANY LLC AND DOES 1)	CONFERENCE
TO 50, inclusive,)	
)	[Civ. L.R. 6-1(b) 6-2]
Defendants.)	
)	Trial Date: None

Pursuant to Civil Local Rule 6-1(b) and 6-2 of the United States District Court for the Northern District of California, it is hereby stipulated by and between Plaintiff Kent Ward and Defendants Equilon Enterprises, LLC ("Equilon") and Shell Oil Products Company LLC ("Shell"), by and through their respective counsel of record, as follows:

1) All discovery and expert discovery deadlines set forth in this Court's April 8, 2010 Case Management Scheduling Order and originally extended for a period of 90 (ninety) days per this Court's October 8, 2010 Stipulation and Order to Extend Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference, and extended another 45 (forty five) days in this Court's January 20, 2011 Stipulation and Order For Second Extension of Discovery and Mediation Deadlines and to Reschedule Further Case Management Conference, shall be extended from the current deadlines stated in the January 20, 2011 Order, as follows:

- a) On or before June 30, 2011, all non-expert discovery shall be completed;
- b) On or before July 29, 2011, plaintiff shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);
- c) On or before August 31, 2011, defendants shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure 26(a)(2);
- d) On or before September 30, 2011, all discovery of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b)(4) shall be completed.

2) The current mediation deadline shall be extended by 60 days.

3) The May 26, 2011 Further Case Management Conference shall be rescheduled for October 6, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the Courtroom of the Honorable Richard Seeborg, Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement on or before September 29, 2011.

The reason for this Stipulation is that counsel for Plaintiff recently had a tragic family event occur that required his complete and immediate attention, such that he was not available to participate in mediation and remaining discovery under the current schedule. Further, the first available date for the parties and the mediator to conduct the mediation is not until the end of April, 2011, and the parties desire to conduct the mediation before completing the remaining depositions and discovery.

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1 This is the third stipulated time modification in this case, as set forth above. No trial date
2 has been set, so this extension will not require that a trial date be rescheduled, but it will require
3 that the Further Case Management Conference currently set for May 26, 2011 be rescheduled.

4 IT IS SO STIPULATED.

5 Date: March 3, 2011

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7 By: /s/ Joseph E. Addiego III
JOSEPH E. ADDIEGO III

8 Attorneys for Defendants EQUILON ENTERPRISES LLC,
9 and SHELL OIL PRODUCTS COMPANY LLC

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12 IT IS SO STIPULATED

13 Date: March 3, 2011

14 JONES, CLIFFORD, JOHNSON, DEHNER, WONG,
MORRISON, SHEPPARD & BELL, LLP

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16 By: /s/ Steven J. Bell
Steven J. Bell

17 Attorneys for Plaintiff KENT WARD
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ORDER

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

IT IS FURTHER ORDERED that the May 26, 2011 Further Case Management Conference shall be rescheduled to October 6, 2011. The parties shall file a Joint Case Management Statement on or before September 29, 2011.

DATED: March 3, 2011.



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

DAVIS WRIGHT TREMAINE LLP